REMARKS

Claims 1-13 are pending in the present application. With entry of this Amendment, Applicants amend claims 1, 2, 10, 11 and 13. Reexamination and reconsideration are respectfully requested.

Objection to Specification

The Examiner objected to the abstract, because it was greater than 150 words. Applicants have amended the abstract to be less than 150 words. Accordingly, Applicants respectfully request that the Examiner withdraw the objection.

Objection to Claims

The Examiner was uncertain as to the dependency of claims 10 and 11. Applicants have amended claim 10 to place it in independent form and have amended claim 11 to depend from claim 10. Accordingly, Applicants respectfully request that the Examiner withdraw the objection.

Rejections Under § 112 (second paragraph)

The Examiner rejected claims 1-13 under 35 U.S.C. § 112 (second paragraph). Specifically, the Examiner rejected claim 1 for reciting a "second signal processing section." Applicants have amended claim 1 to recite "a second signal path setting section." Claim 1 also recites "a first signal path setting section."

The Examiner also rejected claims 1 and 13 based on a lack of clarity in their third and fourth paragraphs. With respect to the third paragraph, the Examiner was unclear as to what group the "plurality of input channels" was referring to. Applicants have amended claim 1 to recite "an exclusion setting section that selects a particular input channel, from among the plurality of input channels, to be excluded." This is similar to the Examiner's proposal. Claim 13 has been similarly amended.

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With respect to the fourth paragraph, the Examiner was uncertain as to what was being mixed. Applicants have amended claim 1 to recite: "a second signal path setting section that makes a setting such that the signals of said plural input channels selected via said first signal path setting section, having the signal of the particular input channel selected by said exclusion setting section excluded therefrom, are mixed into a second output channel of the plurality of output channels, so that signals, obtained by mixing the signals of the selected plural input channels with the particular input channel excluded therefrom, are outputted via said second output channel." It is believed this recitation, as amended, makes clear what is being mixed. Claim 13 has been similarly amended.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejections under § 112 (second paragraph).

Rejection Under § 101

The Examiner rejected claim 13 under § 101 for being directed to non-statutory subject matter. Applicants have amended claim 13 to be directed to a computer-readable medium. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection under § 101.

Rejections Under §§ 102(b) and 103(a)

The Examiner rejected claim 1-13 under §§ 102(b) or 103(a) as being anticipated by or obvious in view of Davis (U.S. Patent No. 5,454,041). The rejections are respectfully traversed.

The present invention, as set forth in claim 1, is directed to a mixing signal-path setting apparatus. The apparatus has at least two signal path setting sections. The first signal path setting section selects plural input channels from among a plurality of input channels and makes a setting such that signals from the selected input channels are mixed into a first output channel.

The second signal path setting section operates in conjunction with an exclusion setting section. The exclusion setting section selects a particular input channel to be excluded. The second signal path setting section makes a setting such the signals of the plural input channels selected via

the first signal path setting section – with the exception of the input channel excluded – are mixed into the a second output channel. The second signal path setting section, thus, achieves a "minus-one function" by excluding the signal of a particular channel.

What is important to emphasize is that the signal of the particular channel is excluded at a stage *preceding* the mixing in the output channel. This has many advantages, including avoiding tone quality deterioration.

In contrast, Davis discloses a minus-one functionality by excluding a signal of a predetermined input channel from signals *having been mixed*. This is done by inverting the excluded signal and subtracting it from a summed signal of all the signals to produce a mix-minus signal. (*See, e.g.*, Col. 6, lines 1-40 and Col. 7, lines 25-33.) Thus, Davis does not disclose "an exclusion setting section that selects a particular input channel, from among the plurality of input channels, to be excluded" and "a second signal path setting section that makes a setting such that the signals of said plural input channels selected via said first signal path setting section, having the signal of the particular input channel selected by said exclusion setting section excluded therefrom, are mixed into a second output channel of the plurality of output channels, so that signals, obtained by mixing the signals of the selected plural input channels with the particular input channel excluded therefrom, are outputted via said second output channel" as recited in claim 1.

Accordingly, claim 1 and its dependent claims are not anticipated by Davis for at least the reasons set forth above. Claim 13 is not anticipated by or obvious in view of Davis for at least the same reasons set forth above with respect to claim 1.

Claim 10, as amended, recites "an exclusion setting section that set s a particular input channel, from the plurality of input channels, to be excluded" and "a second signal path setting section that makes a setting such that the signals of the one or more input channels selected via said first signal path setting section, having the signal of the particular input channel set by said exclusion setting section excluded therefrom, are mixed into a second output channel of the plurality of output channels" and, thus, is not anticipated by Davis for at least the reasons set forth above with respect to claim 1.

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Claim 10 also recites "a section that provides a visual display to be used for setting various parameters for mixing signal paths." There is no disclosure of the recited section in Davis. The Examiner refers to user interface 10, but this is simply described as a mixer console. (*See* Col. 3, lines 15-16.) Accordingly, Applicants respectfully submit that claim 10 is not anticipated by Davis for this reason as well.

Claim 11 depends from claim 10 as discussed above and is not anticipated by Davis for at least the reasons set forth above with respect to claim 10.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.
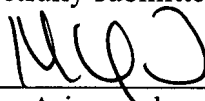
If, for any reason, the Examiner finds the application other than in condition for allowance, Applicants request that the Examiner contact the undersigned attorney at the Los Angeles telephone number (213) 892-5630 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. 393032039800.

Dated: August 22, 2007   Respectfully submitted,

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